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Armenia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion; however, the law places some restrictions on the religious freedom of members of minority religious groups.

The government generally did not enforce existing legal restrictions on religious freedom. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 11,500 square miles and a population of three million. Approximately 98 percent of the population is ethnic Armenian. An estimated 90 percent of citizens nominally belong to the Armenian Church, one of six ancient autocephalous Eastern churches, which has its spiritual center (Mother See) located at the Etchmiadzin cathedral and monastery near the capital of Yerevan.

There are small communities of other religious groups. There was no reliable census data on religious minorities, and estimates from congregants varied significantly. Groups constituting less than 5 percent of the population include the following: Roman Catholic, Armenian Uniate (Mekhitarist) Catholic, Orthodox Christian, Armenian Evangelical Christian, Molokan, Pentecostal, Seventh-day Adventist, Baptist, various groups of charismatic Christians, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis (non-Muslim Kurds who practice Yezidism), Jews, Sunni Muslim Kurds, Shi'ite Muslims, Baha'is, and others.

Yezidis are concentrated primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholics live primarily in the north, while most Jews, Mormons, Baha'is, and Orthodox Christians reside in Yerevan, along with a small community of Muslims, mostly Shi'ites, including Iranians and temporary residents from the Middle East.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion and the right to practice, choose, or change religious belief; however, the law places some restrictions on the religious freedom of members of minority religious groups.

The constitution recognizes "the exclusive mission of the Armenian Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia." The constitution and the Law on Freedom of Conscience and Religious Organizations establish separation of church and state but grant the Armenian Church official status as the national church.

The 2007 Law on the Relations of the Republic of Armenia and the Armenian Church regulates the special relationship between the state and the Armenian Church and grants certain privileges to the Armenian Church that are not available to other religious groups. It makes the Armenian Church's marriage rite legally binding, but the supporting legal acts to enforce this are not yet in place. The law also allows the Armenian Church to have permanent representatives in hospitals, orphanages, boarding schools, military units, and all places of detention, while the Law on Freedom of Conscience and Religious Organizations permits other religious organizations to have representatives in these places on demand only. In general the Law on the Relations of the Republic of Armenia and the Armenian Church formally recognizes the moral as well as ethnic role that the Armenian Church plays in society, since most citizens see it as an integral part of national identity and cultural heritage.

The government observes January 6, the day on which the Armenian Church celebrates Christmas, as a national holiday. During the year the government designates, through its decrees, five church observances as official Monday holidays, during which it is customary to visit the graves of loved ones. The preceding or following Saturdays are designated as workdays.

The Law on Alternative Service allows conscientious objectors—subject to government panel approval—to perform either noncombatant military or labor service duties rather than serve as combat-trained military personnel. The law took effect in 2004 and applies to subsequent draftees and those serving prison terms for draft evasion. A 2006 amendment to the criminal code criminalizes evasion of alternative labor service. However, conscientious objectors regarded as unacceptable military control of the alternative labor service.

The law does not mandate registration of nongovernmental organizations (NGOs), including religious groups; however, only registered organizations have legal status. Only registered groups may publish more than 1,000 copies of newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor visitors' visas, although individual members may do so. To qualify for registration, religious organizations must "be free from materialism and of a purely spiritual nature," have at least 200 adult members, and subscribe to a doctrine based on "historically recognized holy scriptures." The registration requirements do not refer to the religious organizations of national minorities. The Office of the State Registrar registers religious entities. The Department of Religious Affairs and National Minorities oversees religious affairs and performs a consultative role in the registration process. There were no reports that the government refused to register religious groups that applied.

The Law on Education mandates that public schools offer a secular education. Only personnel authorized and trained by the government may teach in public schools. Courses in the history of the Armenian Church are part of the public school curriculum and are taught by public school teachers. According to the Law on the Relations of the Republic of Armenia and the Armenian Church, the Armenian Church has the right to participate in the development of the study program and schoolbooks of this course, as well as define the qualifications for teachers delivering the course. The Armenian Church may also nominate candidates to teach the course. All religious organizations may establish groups for religious

instruction to train their members, utilizing facilities belonging to or set aside for them. The law grants the Armenian Church the right to organize voluntary religious classes in state education institutions using the facilities and resources of those institutions.

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Throughout the reporting period, minority religious groups and human rights organizations expressed concerns about amendments to the Law on Freedom of Conscience and Religious Organizations and the criminal code proposed in March 2009. The European Commission for Democracy through Law (Venice Commission) and the Organization for Security and Co-operation in Europe also criticized the proposed changes. In February 2010 the national assembly postponed further discussions of the proposal until its 2010 fall session.

Restrictions on Religious Freedom

The government generally did not enforce existing legal restrictions on religious freedom. There was no change in the status of respect for religious freedom by the government during the reporting period.

The Law on Freedom of Conscience and Religious Organizations prohibits but does not define "soul hunting," a nonlegal term perceived to describe both proselytism and forced conversion. The prohibition applies to all groups, including the Armenian Church. Most registered religious groups reported no significant legal impediments to their activities during the reporting period.

Although the law prohibits foreign funding of foreign-based denominations, the government did not enforce the ban.

Throughout the reporting period, some religious groups reported that negative attitudes towards teachers and children involved in religious groups other than the Armenian Church continued at schools. The groups and local observers noted that such attitudes were more apparent during classes on the history of the Armenian Church, which they alleged contained elements of religious instruction. However, according to most religious groups, the situation improved during the reporting period. Government officials denied reports of intolerance and discrimination towards students of minority religious groups at schools and maintained that the Ministry of Education had not received such complaints.

Christian Cultural Ministries International (CCMI), an NGO associated with the Yerevan Evangelical Church, claimed that the government hindered its charitable projects due to religious discrimination. CCMI claimed to have regularly implemented the same charitable program—distribution of small boxes of donated goods to children—for approximately 15 years. In November 2009 the Government Commission Coordinating Charitable Programs denied the NGO's application for charitable status, which confers certain tax privileges. The denial followed a letter to the commission from an Armenian Church representative, who claimed that CCMI engaged in preaching and "soul hunting" during the distribution of the gifts. CCMI, which denied this claim, reapplied and offered to conduct the program jointly with the Armenia Round Table of the World Council of Churches Foundation, an ecumenical faith-based group. On December 11, 2009, the commission decided that the program should be operated entirely by the Round Table Foundation. On May 14, 2010, the commission revoked the program's charitable qualification. The commission denied CCMI's claims that the latter had become a target of religious discrimination and claimed that CCMI had violated the requirements of the Law on Charity by charging money for the gifts. CCMI denied the allegations.

The Jehovah's Witnesses congregation reported that it was unable to rent large premises for annual gatherings. The group reported that it had applied unsuccessfully to more than a dozen premises (mostly stadiums) that were privately owned or were owned or managed by state or local government bodies. In some instances the group had already signed contracts that were later revoked. The group alleged that the owners and managers of the premises were pressured by the Armenian Church and representatives of law-enforcement bodies into turning down the requests of the Jehovah's Witnesses.

Abuses of Religious Freedom

From July 1, 2009, to June 1, 2010, 35 Jehovah's Witnesses were sentenced to imprisonment for evasion of military or alternative service. Twenty of those sentenced received a 24-month sentence, and the remaining 15 received a 30-month sentence.

According to Jehovah's Witnesses leaders in Yerevan, as of June 1, 2010, 76 of their members remained in prison for refusing to perform military service or alternative labor service on conscientious and religious grounds, and one member remained in pretrial detention. Jehovah's Witnesses representatives stated that all of the prisoners had been given the opportunity to serve an alternative to military service rather than prison time but had refused because they objected to the fact that the military retained administrative control over the alternative service.

As during the previous reporting period, following an agreement with the deputy prosecutor general, the Jehovah's Witnesses members who stood trial for evasion of alternative service were no longer put under pretrial detention, with one exception in Armavir region.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

On June 14, 2010, the public television station H1, which has nationwide coverage, showed a documentary prepared by Internews NGO on alternative service within a series entitled *Parallels: Armenia and Europe*. The documentary provided objective and diverse coverage of the topic, including a historical overview of the development of alternative service in Europe; examples of such service in Europe; and interviews with a range of government officials, a representative from the Ombudsman's Office, and other experts, who discussed the law on alternative service, existing gaps, and possible ways to improve it. The documentary also presented interviews with Jehovah's Witnesses imprisoned for draft evasion.

Following requests by the Jehovah's Witnesses, on March 23, 2010, the Ministry of Justice informed the group that the number of allowed visits by Jehovah's Witnesses to their adherents in prison would increase from one every two months to once a month.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses based on religious affiliation, belief, or practice. Societal attitudes were ambivalent toward most minority religious groups. While many citizens are not religiously observant, the link between Armenian ethnicity and the Armenian Church is strong.

According to some observers, the general population expressed negative attitudes about all minority religious groups. According to local experts, however, these attitudes did not affect personal and neighborly relationships but rather constituted a general perception of minority religious groups as threats to the state. Minority religious groups at times continued to be targets of hostile sermons by Armenian Church clerics, and members of minority religious groups experienced societal discrimination and intolerance, including in the workplace.

Most media outlets continued to label religious groups other than the Armenian Church as "sects" in their publications and broadcasting. There were also reports by media outlets affiliated with the political opposition that criticized the political position and the political role of the Armenian Church. Various television stations continued to broadcast discussions in

which representatives of the Armenian Church and other participants labeled religious minority groups as enemies of the state and national unity.

In November 2009 H2 TV addressed "sects" in its *Urgent Report* program. A major part of the program consisted of comments from an Armenian Church cleric, who compared all "sects" (i.e., all religious organizations other than the Armenian Church) with "immoral women coming from U.S. or European brothels... who cannot preach Christianity." He labeled the leaders of those religious organizations as "hired pastors" and "liars" and said that those "sects" were a danger to the country's statehood and security. The program moderator concluded that "soul hunting" must be fought through laws and decrees.

On December 29, 2009, an unidentified person broke the window of the Jehovah's Witnesses kingdom hall in the town of Charentsavan and set a fire inside by throwing a glass bottle with flammable fluid. After almost a month, and following a letter by the group, on January 27, 2010, police launched a criminal case investigation but suspended the case on March 27, 2010, since no suspect had been identified. The religious group reported that late at night on May 1, 2010, slurs against the Jehovah's Witnesses were spray-painted on the wall of the same hall.

Throughout the reporting period, a group calling itself the *One Nation Party* or *One Nation Alliance of Organizations* continued to circulate leaflets throughout Yerevan denouncing Jehovah's Witnesses. Most of the leaflets warned against "sects," but there were others that called on citizens to "wage a nationwide fight" against them. Following complaints by religious organizations and a warning by the Government Department of Religious Affairs and National Minorities, the group stopped distributing the leaflets. Nonetheless, according to local observers, the leaflets continued to be given out door to door and at subway stations.

Another group, the United Hayk Nationalist Organization, distributed similarly negative leaflets.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

U.S. embassy officials maintained close contact with the catholicos (primate of the Armenian Church) at Etchmiadzin and with leaders of other religious and ecumenical groups in the country. The embassy maintained regular contact with resident and visiting representatives of foreign-based religious groups and raised its concerns with the government when necessary. Embassy officials participated in many religious communities' events and other events to promote religious freedom.

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